

Report and the serious consequences if they failed to do so. No party has objected to the Report and the time to do so has lapsed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” (citation omitted)).

As stated above, no party has objected to the Magistrate Judge's Report. Accordingly, after considering the record in this case, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error and agrees with the recommendation of the Magistrate Judge as modified. Plaintiff's motion for default judgment [64] is **DENIED** as premature with leave to refile. Defendants Alan Brady King and Krissy King are directed to appear for a hearing to show cause why they should not be held in contempt for the reasons outlined in the Report. The hearing is scheduled for January 6, 2021, at 11:00am at the Donald S. Russell Federal Building, 201 Magnolia

Street, Spartanburg, South Carolina 29306. The Individual Defendants are cautioned that failure to appear may be deemed grounds for a finding of contempt, in addition to those facts identified by the Magistrate Judge. Upon a finding of contempt, the Court may sanction the offending party or parties to the fullest extent allowed by law, including but not limited to entering default against them.

IT IS SO ORDERED.

s/ Donald C. Coggins, Jr.
United States District Judge

December 2, 2020
Spartanburg, South Carolina